

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 23, 2001. In order to advance prosecution of this Application, Applicant has responded to each issue raised by the Examiner. Applicant respectfully requests reconsideration, further examination, and favorable action in this case.

I. EXAMINER INTERVIEW

Applicant thanks the Examiner for the telephone conference conducted on August 21, 2001. During the interview, the Examiner and Applicant's representative discussed the new matter objection, the enablement rejection, and the application of a cited reference to Claim 1.

II. OBJECTIONS

A. THE TITLE IS DESCRIPTIVE OF THE CLAIMED INVENTION

The Examiner objected to the title of the invention as "not descriptive" because the current title is "directed to a family of devices." Applicant notes that the title of the Application describes the invention as claimed. Applicant respectfully requests withdrawal of the objection.

B. THE AMENDMENTS INVOLVING FIGURES 8 AND 9 CONTAIN NO NEW MATTER

The Examiner objected to the amendments filed February 27, 2001 as introducing new matter. In particular, the Examiner objected to the addition of Figures 8 and 9, along with the description of each figure. Applicant respectfully traverses this objection.

The claims as originally filed form part of the disclosure. (*M.P.E.P.* § 2163.06). Therefore, Applicant may amend the specification to include subject matter recited in the claims without adding new matter to the Application. (*M.P.E.P.* §§ 608.01(l), 2163.06).

Applicant notes that all of the material contained in Figures 8 and 9, plus the accompanying descriptions of those figures, was contained in originally filed Claims 1-12. As a result, Applicant added no new matter in the amendment filed February 27, 2001.

In addition, the material contained in Figures 8 and 9 and the accompanying descriptions find support in other portions of the Application. For example, regarding Figure 8, steps 300 and 304 recite storing assignments of a member of a community to first and second positions in the community, which is also described at page 8, lines 12-21 and page 9, lines 6-21. Steps 302 and 306 recite providing managers of those positions with access privileges to the member's records, which is also described at page 8, lines 22-31; page 10, line 29 - page 11, line 20; page 12, lines 4-15; and page 27, line 23 - page 29, line 19.

Similarly, regarding Figure 9, steps 350 and 352 recite storing assignments of members of a community to first and second manager positions in the community, which is supported at page 8, lines 12-21 and page 9, lines 6-21. Step 354 recites storing an assignment of the first manager position to the second manager position, which is supported at page 10, lines 14-28. Step 356 recites providing the first manager position with at least some of the access privileges of the second manager position, which is supported at page 3, lines 24-31; page 11, lines 3-8; and page 23, lines 8-16.

The cited portions of the Application show that the material in Figures 8 and 9 and the accompanying descriptions of those figures was contained in the Application as originally filed. Applicant respectfully requests withdrawal of the objection.

III. 35 U.S.C. § 112 REJECTION

The Examiner rejected Claims 1-19 under 35 U.S.C. § 112, first paragraph. The Examiner asserted that Applicant has not enabled "automatically providing ... access privileges" in Applicant's specification. Applicant respectfully traverses this rejection.

As stated in the amendment filed February 27, 2001, Figures 4-7 in the Application illustrate one embodiment of how a system may provide access privileges to records of members of a community. In particular, Applicant notes that the description of Figures 4-7 describes how components of the system may use information stored in the system to provide access privileges to members of a community. For example, regarding Figure 4, the Application describes how

an application 32 may generate a list of functions 34 that a user is authorized to perform. (*Page 23, lines 21-23*). In one example embodiment, the application 32 uses a user identifier associated with the user, a personnel number from an identification table 64, a position identifier from an organization assignment table 66, and a function table 70 to generate the list of authorized functions 34. (*Page 23, line 24 - Page 24, line 30*). Regarding Figure 5, the Application describes how application 32 may generate a list of objects 36. (*Page 24, lines 31-33*). In one example embodiment, the application 32 uses the list of authorized functions 34 and evaluation paths in a profile assignment table 68 to generate the list of authorized objects 36. (*Page 25, line 6 - Page 27, line 11*). Regarding Figure 6, the Application describes how the application 32 may authorize access to records of a member of a community. (*Page 27, lines 12-15*). In one example embodiment, the application 32 receives an identification of a member and determines if the user is authorized to access that member's records using the list of authorized objects 36. (*Page 27, lines 15-33*). The application 32 may also determine the relationship between the user and the member using the list of authorized objects 36, and the application 32 may set a flag identifying the relationship. (*Page 28, lines 10-26*). Using the list of authorized objects 36, the relationship flag, the list of authorized functions 34, and/or user exits 44, the application 32 determines whether the user is allowed to access the member's records. (*Page 28, line 27 - Page 30, line 17*). The description of Figure 7 includes another example embodiment of a method for authorizing access to the member's records.

The Application does not merely recite functions performed by components of a system without actually describing how to implement the functions. The Application describes the functions and gives at least one example of how those functions could be implemented using information stored in the system. As a result, the Application enables one of ordinary skill in the art to make and use the invention.

The Examiner has not provided a "reasonable basis" to question Applicant's disclosure, and the Examiner has not provided "acceptable evidence" to back up the Examiner's finding of non-enablement as required. (*M.P.E.P. § 2164.04*). For example, in the Office Action the Examiner refers to the "limited flow charting with almost no written description." (*Office Action*,

page 7, last paragraph). However, Applicant notes that the description of Figures 4-7 span almost 14 pages of the Application and describe how the components of the system use information stored in the system to perform particular tasks. Applicant further notes that the description of Figure 1 also includes a description of how the system provides access privileges to a user. (See, e.g., *Page 8, line 12 - 31; Page 10, line 7 - Page 12, line 28; Page 16, line 20 - Page 17, line 9*).

In addition, a decision regarding enablement should be based on a wide variety of factors, including: the breadth of the claims, the nature of the invention, the state of the prior art, the level of one of ordinary skill, the level of predictability in the art, the amount of direction provided by the inventor, the existence of working examples, and the quantity of experimentation needed to make or use the invention based on the content of the disclosure. (*M.P.E.P. § 2164.01(a)*). It is improper to consider some of these factors while ignoring others. (*M.P.E.P. § 2164.01(a)*). The Examiner has not explained how each of these factors weighs for or against a finding of enablement. In particular, factors such as the predictability in the art and the existence of at least one working example in the Application would support a finding of enablement, but the Examiner has not explained how these factors affect the finding of non-enablement.

The above-cited portions of Applicant's specification, along with the rest of the Application, enable one of skill in the art to make and use Applicant's claimed invention. The Examiner has also failed to meet the burden of proving non-enablement. As a result, Applicant respectfully requests withdrawal of the rejection of Claims 1-19.

IV. 35 U.S.C. § 102 REJECTIONS

The Examiner rejected Claims 1-19 under 35 U.S.C. §§ 102(b) and 102(e), as being unpatentable over seven different references. Applicant respectfully traverses these rejections.

A. THE EXAMINER CONTINUES TO USE AN IMPROPER STANDARD

Under 35 U.S.C. § 102(b), a claim is anticipated by a reference only if each and every element of the claim is found in the reference. (*M.P.E.P.* § 2131). The Examiner improperly ignores elements of the claims in rejecting the claims over the cited references. For example, the Examiner states that Claim 1 “recites nothing more than providing a user with access to data based on stored affiliations with groupings for associated user privileges or access levels.” (*Office Action*, page 12, second paragraph). First, Claim 1 recites numerous other elements, which the Examiner cannot ignore in determining the patentability of the claim. Second, this is an improper characterization of Claim 1 since Claim 1 never requires or recites the use of “groupings” of “associated user privileges or access levels.” The Examiner improperly reads elements into the claims and ignores other elements in the Office Action.

B. NONE OF THE REFERENCES TEACH OR SUGGEST THE CLAIMED INVENTION

As explained in Applicant's February 27, 2001 Response to the November 27, 2000 Office Action, *Howell* and *Abraham* each discloses a system that combines users of a database into groups of users, and access to an object in the system may then be granted to individual users and to groups of users. The Examiner has failed to establish how or why grouping users together anticipates the claims. For example, Claim 1 recites “storing an assignment of a member of a community to a first position in the community to generate a first relationship” and “automatically providing a manager of the first position with access privileges to records of the member based on the first relationship.” There is no recitation or requirement in Claim 1 that users be grouped together. The Examiner has not explained how grouping users together anticipates a claim that neither recites nor requires the grouping of users.

Similarly, *Baldwin*, *Demurjian*, and *Barkley* each discloses a system that combines

database privileges into groups of privileges, and access to objects may then be granted to a user of the system by assigning the group of privileges to the user. There is no recitation or requirement in the claims that access privileges be grouped together. The Examiner has again failed to establish how or why grouping privileges together anticipates the claims.

Rabitti and *Deinhart* each discloses a system that combines database privileges into groups of privileges according to user roles or job positions, and access to objects may be granted to a user of the system by assigning the group of privileges to the user. As with the previous references, there is no recitation or requirement in the claims that access privileges be grouped together. Even though *Rabitti* and *Deinhart* refer to user roles or job positions, both fail to teach or suggest giving one member of a community access to the records of another member based on a management or other type of relationship between the members. Once again, the Examiner has failed to establish how or why grouping privileges together anticipates the claims.

None of the references discloses each and every element of the claims. For at least these reasons, Applicant respectfully requests withdrawal of the rejections and full allowance of Claims 1, 7, 13, and 16-19, and Claims 2-6, 9-12, 14, and 15 depending therefrom.

CONCLUSION

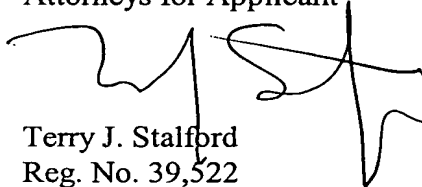
Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case, Terry J. Stalford stands willing to conduct such a telephone interview at the convenience of the Examiner. Mr. Stalford may be reached at 214-953-6477.

Applicant has included a Notification of Extension of Time Under 37 C.F.R. § 1.136. Applicant does not believe that any additional fees are due. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 05-0765 of Electronic Data Systems Corporation.

Respectfully submitted,

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APPENDIX

1. (Amended) A method of providing access privileges to records of members of a community, comprising:

storing an assignment of a member of a community to a first position in the community to generate a first relationship;

automatically providing a manager of the first position with access privileges to records of the member based on the first relationship;

storing an additional assignment of the member to a second position in the community to generate a second relationship; and

during pendency of the additional assignment, automatically providing a manager of the second position with disparate access privileges to records of the member based on the second relationship.

2. The method of Claim 1, wherein the manager of the second position has limited access privileges to records of the member.

3. The method of Claim 1, wherein the manager of the first position has access privileges to administrative records of the member denied to the manager of the second position.

4. The method of Claim 1, wherein the additional assignment comprises a temporary work assignment.

5. The method of Claim 1, wherein the community comprises a business and the member comprises an employee of the business.

6. The method of Claim 1, wherein the records comprise personnel records of the member.

7. (Amended) A method of providing access privileges to records of members of a community, comprising:

storing a first assignment of a first member of a community to a first manager position in the community;

storing a second assignment of a second member of the community to a second manager position in the community;

storing a third assignment of the first manager position to the second manager position to generate a relationship; and

automatically providing the first member with at least a portion of the access privileges of the second member based on the relationship, the access privileges of the second member comprising access privileges to records of members of the community reporting to the second manager position.

8. Cancelled.

9. (Twice Amended) The method of Claim 7, further comprising automatically providing the first manager position with full access privileges of the second manager position to records of members of the community reporting to the second manager position.

10. (Twice Amended) The method of Claim 7, wherein the access privileges provided to the first manager position exclude access privileges of the second manager position to administrative records of members of the community reporting to the second manager position.

11. The method of Claim 7, wherein the community comprises a business and the first and second members comprise employees of the business.

12. The method of Claim 7, wherein the records comprise personnel records of the member.

13. (Amended) A system for providing access privileges to records of members within a community, comprising:

a memory operable to store:

a plurality of allowed types of assignments of members of a community to positions in the community; and

a record of assignments of members of the community to positions in the community; and

a processor operable to automatically provide a first member and second member with disparate access privileges to records of a third member based on at least two of the recorded assignments in the memory, at least two of the recorded assignments involving different allowed types of assignments.

14. The system of Claim 13, wherein the allowed assignments include assignments between positions in the community.

15. The system of Claim 13, wherein a temporary assignment of a member to a position is associated with limited access privileges to records of the member.

16. A system for providing access privileges to records of members of a community, comprising:

a memory operable to store:

an assignment of a member of a community to a first position in the community to generate a first relationship; and

an additional assignment of the member to a second position in the community to generate a second relationship; and

a processor operable to:

automatically providing a manager of the first position with access privileges to records of the member based on the first relationship; and

during pendency of the additional assignment, automatically providing a manager of the second position with disparate access privileges to records of the member based on the second relationship.

17. A system for providing access privileges to records of members of a community, comprising:

at least one computer readable medium; and

software encoded on the at least one computer readable medium and operable when executed by a processor to:

store an assignment of a member of a community to a first position in the community to generate a first relationship;

store an additional assignment of the member to a second position in the community to generate a second relationship; and

automatically provide a manager of the first position with access privileges to records of the member based on the first relationship; and

during pendency of the additional assignment, automatically provide a manager of the second position with disparate access privileges to records of the member based on the second relationship.

18. A system for providing access privileges to records of members of a community, comprising:

a memory operable to store:

a first assignment of a first member of a community to a first manager position in the community;

a second assignment of a second member of the community to a second manager position in the community; and

a third assignment of the first manager position to the second manager position to generate a relationship; and

a processor operable to automatically provide the first member with at least a portion of the access privileges of the second member based on the relationship stored in the memory, the access privileges of the second manager comprising access privileges to records of members of the community reporting to the second manager position.

19. A system for providing access privileges to records of members of a community, comprising:

at least one computer readable medium; and

software encoded on the at least one computer readable medium and operable when executed by a processor to:

store a first assignment of a first member of a community to a first manager position in the community;

store a second assignment of a second member of the community to a second manager position in the community;

store a third assignment of the first manager position to the second manager position to generate a relationship; and

automatically provide the first member with at least a portion of the access privileges of the second member based on the relationship, the access privileges of the second manager comprising access privileges to records of members of the community reporting to the second manager position.